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NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

September 15, 1997

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: ET Docket No. 97-157

Dear Mr. Caton:

On behalf of the newly formed National Public Safety Telecommunications Council ("NPSTC"), I am pleased to submit the following comments in response to the Commission's Notice of Proposed Rule Making in the above-referenced proceeding to allocate 24 MHz for public safety services in the 746-806 MHz band.

NPSTC was created to encourage and facilitate implementation of the findings and recommendations of the Public Safety Wireless Advisory Committee ("PSWAC"). NPSTC is governed by leading organizations representing the interests of public safety users from all levels of government, and is open to participation by any individual with an interest in public safety communications. In addition to these comments, NPSTC has already begun to develop information and proposals regarding the rules for assigning and using the spectrum that is to be allocated in this proceeding. We also have ongoing efforts to address the other findings and recommendations of PSWAC.

Further information regarding NPSTC is available from our website at <http://rmlectc.dri.du.edu/npstc/>, or by contacting Tom Tolman at the address and telephone number on the attached comments. My telephone number is (407) 246-2446.

Respectfully submitted,

Marilyn Ward

Marilyn Ward
Interim Chairperson

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Before the
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Reallocation of Television Channels) ET Docket 97-157
60-69, the 746 - 806 MHz Band)

COMMENTS
of the
NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

National Public Safety Telecommunications Council
2050 East Iliff Avenue
Denver, Colorado 80208
(800) 416-8086
September 15, 1997

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EXECUTIVE SUMMARY

The National Public Safety Telecommunications Council (NPSTC) enthusiastically concurs with the general intent of the Notice to make the proposed 24 MHz of spectrum available to Public Safety. As documented in the Public Safety Wireless Advisory Committee (PSWAC) Final Report, there is an immediate need for additional spectrum to accommodate the current needs of Public Safety for both voice and data communications. There are new technologies in development which are presently inhibited by lack of sufficient, suitable spectrum. This lack of available spectrum severely limits Public Safety's ability to avail itself of new, more efficient technology.

The Commission's proposal to allocate 24 MHz of spectrum to Public Safety must be executed in a timely fashion as the first step in meeting the requirement to provide 97.5 MHz as recommended in the PSWAC Final Report. Reallocation of channels 63, 64, 68 and 69 to Public Safety is critical to ensure adequate channel capacity for new and spectrum-efficient technologies. Channels 68 and 69 are extremely important because they are adjacent to the 806 - 824 MHz already in use by Public Safety.

NPSTC strongly urges the Commission to eliminate broadcast services entirely from the 746-806 MHz band for several reasons. Allocating this band entirely to Public Safety, land mobile services and compatible commercial services virtually eliminates the requirement that large amounts of spectrum be set aside at the band edges for interference protection. Also, the potential for interference will be significantly reduced by allocating this spectrum to similar services.

The Commission's suggestion that Public Safety can negotiate with broadcast stations to facilitate the transition is unrealistic. State and local tax dollars should not be expended to compensate "for profit" corporations to facilitate the clearing of these channels. NPSTC proposes that a percentage of the monies derived from the auction of the 36 MHz to commercial services should be set aside to compensate those broadcast stations, with constructed facilities on Channels 62 - 65 and 67 - 69, who expeditiously move to alternate channels. Even though Congress has allowed certain exceptions to the date certain, the Commission should take all appropriate actions to prevent these exceptions from interfering with a timely transition.

This is the first significant step toward satisfying the requirements of the PSWAC Final Report. However, this effort does not satisfy the immediate need for additional spectrum for interoperability and for mutual aid channels in the lower bands. While this docket is in itself a tremendous accomplishment, the Commission must recognize that its efforts to satisfy the remaining recommendations of the PSWAC Final Report must continue.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Reallocation of Television Channels)	ET Docket 97-157
60-69, the 746 - 806 MHz Band)	

COMMENTS
of the
NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

I. INTRODUCTION

The National Public Safety Telecommunications Council (NPSTC) is a federation of associations representing Public Safety telecommunications. It was formed May 1, 1997 during its charter meeting in Washington, D.C. NPSTC charter organizations include:

- American Association of State Highway Transportation Officials (AASHTO)
- Association of Public-Safety Communications Officials -International (APCO)
- Forestry Conservation Communications Association (FCCA)
- International Association of Chiefs of Police (IACP)
- International Association of Fire Chiefs (IAFC)
- International Association of Fish and Wildlife Agencies (IAFWA)
- International Municipal Signal Association (IMSA)
- National Association of State Emergency Medical Services Directors (NASEMSD)
- National Association of State Foresters (NASF)
- National Association of State Telecommunications Directors (NASTD)
- National Coordinating Council for Emergency Management (NCCEM)
- U.S. Department of Agriculture (US DoA)
- U.S. Department of Justice (US DoJ)
- U.S. Department of Treasury (US DoTr)

NPSTC was created to encourage and facilitate implementation of the findings and recommendations of the Public Safety Wireless Advisory Committee (PSWAC) - a federal advisory committee jointly established to advise the Federal Communications Commission (Commission) and the National Telecommunications and Information Administration (NTIA). Specifically, the NPSTC charter directs that NPSTC shall develop and make recommendations to appropriate governmental bodies regarding Public Safety communications issues; shall serve as a standing forum for the exchange of ideas and information regarding Public Safety communications; shall develop recommendations regarding Public Safety communications policies that promote greater interoperability and cooperation between federal, state and local Public Safety agencies; shall identify and promote methods for funding development of Public Safety communications systems; shall sponsor and conduct studies of Public Safety communications and; shall perform such other functions as the Governing Board deems appropriate, consistent with relevant law. Pursuant to the mandate of its charter, NPSTC is pleased to submit these comments in this proceeding.

PSWAC acknowledged that Public Safety agencies are faced with serious communication problems, the greatest being the severe shortage of available spectrum. Without sufficient spectrum, whether in the short term or the long term, Public Safety cannot accomplish its mission to protect life and property. The lack of available spectrum prevents Public Safety agencies from expanding their existing radio systems to meet growing service demands or replacing their obsolete systems with newer, more efficient and advanced technology. Even worse, as the wireless industry develops new, more productive technology, Public Safety will not be able to take advantage of these improvements.

To this end, the Commission, with support from Congress, has proposed to allocate 24 MHz of spectrum between 746 and 806 MHz for Public Safety. ET Docket 97-157 meets one of the recommendations of PSWAC:

“In the short term (within 5 years), approximately 25 MHz of new Public Safety allocations are needed. The present shortages can be addressed by making part of the spectrum presently used for television broadcast channels 60-69 available as soon as possible.”

The present situation, in which the Commission is in the midst of assigning DTV channels, provides a great opportunity to clear channels 60-69 to satisfy the PSWAC recommendation. Not only does this alleviate the short term problems, it will promote the growth of new technology in the private sector, as well, by allocating spectrum for commercial land mobile services.

NPSTC commends the Commission for initiating and facilitating the Public Safety Wireless Advisory Committee (PSWAC), and for initiating this Notice of Proposed Rule Making (Notice) as a follow-up to the recommendations made in the Final Report of PSWAC. NPSTC is pleased that the Commission recognizes the needs of Public Safety, specifically the shortage of available spectrum for Public Safety communications and the requirement for radio communication interoperability between Public Safety agencies. The introduction and Background of this Notice are an excellent summary of these needs. As the record indicates, Television Channels 60-69 are lightly used throughout the nation by the broadcast industry, and reallocation of 24 MHz of this spectrum to Public Safety will have minimum impact upon the television broadcast industry.

The proposal to reallocate 24 MHz of spectrum to Public Safety from the total of 60 MHz being reallocated from Television Channels 60-69 is welcomed, and if executed in a timely fashion

will provide a vital first step toward meeting the need for 97.5 MHz of additional Public Safety land mobile spectrum identified in the PSWAC Final Report.

These comments address the intent of the proposal as presented in the Notice. These comments will not address specifics such as channeling since, as noted in paragraph 12 of the Notice, these matters will be the subject of a further proceeding. NPSTC has already commenced discussion of these specifics and will be prepared to present comments on these issues at the appropriate time. Recommendations as to whether and how National and Regional Planning should be used to facilitate the assignment of the spectrum to Public Safety will also be presented at that time.

II. PROPOSED 24 MHz ALLOCATION FOR PUBLIC SAFETY AND 36 MHz FOR OTHER SERVICES

In paragraph 11 of the Notice, the proposal to allocate 764 - 776 and 794 - 806 MHz for Public Safety represents an excellent choice. By pairing channels 63 and 64 (764 - 776 MHz) with the channels 68 and 69 (794 - 806 MHz) it will be possible to achieve 30 MHz transmit and receive separation. This is vital, as the major portion of this spectrum will most likely be used by full or half duplex, conventional or trunked systems. Public Safety communications systems use repeater station operation for improved communication between low power portable and mobile units. Due to the propagation characteristics of this portion of the spectrum, repeater operation is essential. Discussions with manufacturers indicate this proposed spectrum will facilitate interoperability with the existing Public Safety channels at 806 - 824 and 851 - 869 MHz. With appropriate pre-planning, these new channels can provide for both the expansion of existing systems and installation of new systems. NPSTC participants have discussed the Commission's proposed Public Safety channel

reallocation in detail and are convinced that the priorities of Public Safety virtually mandate the frequency allocations that have been proposed.

Paragraph 12 of the Notice seeks comment on the desirability of high power TV transmitter operation on channels adjacent to Public Safety operations. High power TV transmitters adjacent to proposed Public Safety land mobile radio stations pose a considerable threat to communications used for the protection of life and property. Power spectral density emission masks for DTV stations show a very significant amount of RF energy being radiated both above and below the TV channel¹.

Of major concern to land mobile Public Safety systems is the possibility of a broadcast station on channel 67 (788 - 794 MHz), as this channel is immediately adjacent to proposed mobile transmit frequencies in the 794 - 806 MHz block. A DTV transmitter operating at 1 megawatt (+90 dBm) ERP on that channel would be attenuated by only 46 dB² into the proposed adjacent Public Safety band above 794 MHz, producing a radiated out-of-band emission of +17.7 dBm into the 12.5 KHz bandwidth intercepted by a narrowband receiver. This is 1250 times higher (31 dB above) than the -13 dBm maximum out-of-band emission level³ typical in Land Mobile Radio (LMR) systems. Wider bandwidth receivers that will be used for high capacity data systems will receive another 10 times (125 KHz bandwidth) to 40 times (500 KHz bandwidth) more interference. This level of interference requires significant (spectrum-inefficient) geographic separation between DTV transmitters and LMR receivers⁴. These interference levels also pose a significant threat to mobile

1 47 CFR 73.622(h) from Appendix E of the 6th Report and Order in MM Docket 87-268, FCC 97-115.

2 FCC 95-255(PR Docket No. 92-235), footnote 143 on page 40: Regarding same area high power operation between adjacent LMR channels.

3 47 CFR 90.210(b) Emissions Masks: Regarding emission levels more than 25 kHz removed from the center of a 25 kHz wide LMR channel " Emission Mask B... the power of any emission must be attenuated below the unmodulated carrier output (P)... at least 43 + 10 log(P) dB". This is an absolute level of -13dBm or 50 microwatts.

4 FCC 96-317, Sixth Further Notice of Proposed Rulemaking (Docket MM 87-268), Land Mobile Sharing, para 76 "We will continue to propose to permit DTV stations to operate at co-channel spacings to the city-center of land mobile operations as close as 250 km(155 miles) and 176 km(110 miles)

operations in the 764 - 776 MHz band from any TV operations on channels 62 and 65. New spectrum-efficient land mobile technologies on 746 - 764 and 776 - 794 MHz would also be blocked from access to large geographic areas if high power, co-channel or adjacent channel broadcast operations are allowed to remain in this spectrum. NPSTC believes that high power broadcast services should be removed entirely from 746 - 806 MHz primarily due to the interference issues.

Paragraph 13 of the Notice proposes to reallocate the remaining 36 MHz of television channels 60-69 to other fixed, mobile and broadcast services. While retention of the existing broadcast allocations or addition of new broadcast services through the auction process may have merit for broadcasters, this would certainly not be the case for Public Safety. The priorities of protecting life and property must take precedence. Clear spectrum is an absolute requirement. The suggestion to include broadcast services in this portion of the spectrum would seem to imply that higher powered, constant carrier transmitters could operate on channels adjacent to spectrum efficient land mobile systems, and even be co-located with Public Safety stations. Locating high power broadcast transmitters in and near land mobile spectrum generally causes increased interference problems. This power differential causes adjacent channel receiver interference and desensitization problems to the land mobile receivers near the band edge. Historically, this type of interference from NTSC broadcast transmitters has been handled by reducing broadcast transmitter ERP, adding filtering to the broadcast transmitter⁵ and/or geographic isolation⁶. There is additional concern whereby interference from DTV transmitters is coupling into the adjacent channel at a

5 47 CFR 73.687(e) (4) (ii) Regarding requirements that apply to permittees authorized to construct a new station on TV Channel 14 or TV Channel 69: " A TV permittee must take steps before construction to identify potential interference to normal land mobile operation..It must install filters and take other precautions as necessary ... A TV permittee must reduce its emissions within the land mobile channel of a protected land mobile facility that is receiving interference caused by TV emission producing a vertically polarized signal and a field strength in excess of 17 dBu at the land mobile receiver site on the land mobile frequency..."eoy for NTSC band edge emission limitations on TV channels 14 and 69

6 47 CFR 90.309 Tables A & B: Co-channel LMR ERP limitations based upon antenna height and co-channel LMR distance to TV city-center to protect television receivers within Grade B contour from LMR interference.

higher level. A DTV signal will be far more difficult to filter than an NTSC signal. Therefore, high power, constant carrier services near the band edges in channels 62, 65, and 67 become an interference concern to the Public Safety land mobile services on channels 63, 64, and 68 as proposed in the Notice. New spectrum-efficient commercial land mobile services on channels 65 - 67 would also be blocked from access to large geographic areas due to co-channel interference protection for television receivers.

Reallocation of channels 68 and 69 (794 - 806 MHz) from broadcast to Public Safety is particularly important, because it is immediately adjacent to the 806 - 824 MHz mobile transmit band and will eliminate existing band-edge receiver interference and geographic separation issues at existing repeater/base station sites in many cities.

Accordingly, NPSTC believes that broadcast services should be removed entirely from 746 - 806 MHz and recommends that this spectrum be put to better use in compatible land mobile applications. Expanding the market for land mobile equipment in the 746 - 806 MHz band will have the beneficial effect of reducing the cost of equipment for this band, which is particularly advantageous for Public Safety.

Further, by providing "green space" in which to develop spectrum-efficient commercial systems, the goals of the Commission⁷ will be facilitated and the potential for vacating other spectrum, presently using inefficient technology, will be increased. Making "green space" available for all land mobile users will facilitate realizing these goals at an accelerated pace. Commercial services will be encouraged to develop new systems with enhanced features such as telephone interconnect, private call, group call and secure transmissions that are not available in many existing conventional radio systems. As more of these systems appear on the market, conventional users will

be encouraged to migrate to these new systems for convenience, increased coverage and reduced maintenance costs.

If commercial services are encouraged to relocate to new spectrum, the spectrum vacated at VHF and UHF could be recovered. This spectrum can then be restructured for better spectrum-efficient systems and for fixed/mobile transmitter spacings that will properly support repeater operation. This recovered spectrum can be reallocated to Public Safety to partially satisfy the remaining 73.5 MHz of additional needed spectrum, as noted in the PSWAC Final Report. Recovery of this spectrum would also serve to improve interoperability with federal Public Safety users as all of their present allocations are in VHF and UHF. Although this new spectrum (60-69) will satisfy state and local users it does not address the issue of interoperability with federal agencies.

If the Commission follows the NPSTC recommendation to eliminate broadcast services from the Channels 60-69 spectrum, the concerns raised in paragraph 14 of the Notice become moot.

In paragraph 15 of the Notice, the Commission's purpose – to accommodate as broad a range of services and technologies as feasible – presents interesting technical issues. In order to maximize the possibility of use by Public Safety agencies, NPSTC recommends that the 36 MHz of spectrum be allocated or auctioned for operations which are both consistent and technically compatible with the adjacent Public Safety allocation. Systems which are compatible with Public Safety use will foster accelerated achievement of the Commission's goals for spectrum efficiency and use of commercial services to support "non-mission critical" operations.

With regard to variable spectrum block sizes, NPSTC recommends that the proposal for two 18 MHz blocks (746 - 764 and 776 - 794 MHz) be retained for commercial land mobile services. Regardless of their bandwidth or aggregation for auction, these blocks should be treated as "fixed and mobile" and "mobile only" pairs, which is typical of land mobile operations in this frequency

range. While issues of channelization and aggregation for auction are to be the subject of a future proceeding, this concept of compatibility between commercial and Public Safety channeling is important to minimize interference to Public Safety systems, to facilitate use of commercial services by Public Safety and to facilitate spectrum management on a uniform, nationwide basis.

In paragraph 16 of the Notice, the two commercial blocks, 746 - 764 and 776 - 794 MHz, are both listed identically as "Fixed, Mobile & Broadcasting". NPSTC recommends that 746 - 764 MHz be listed for "Fixed and Mobile", and 776 - 794 MHz be listed for "Mobile only". Similarly, NPSTC recommends that the Public Safety block of 764 - 776 MHz be listed as "Fixed and Mobile", and the Public Safety block of 794 - 806 MHz be listed as "Mobile only". This will serve to ensure compatible operation across the entire band, and will protect Public Safety fixed-station receivers from adjacent channel commercial service transmitters which may be co-located.

III. EXISTING AND PROPOSED TV BROADCAST AUTHORIZATIONS

A. General

While in paragraph 17 of the Notice the Commission states it will address issues of protection of TV services in another proceeding, it should be noted that contrary to the Commission's stated purpose in this proceeding, certain major impact areas of the nation will be hard pressed to make effective Public Safety land mobile use of this spectrum. This is due to conflicts with existing TV stations and to conflicts with the DTV allotments in Channels 60-69.

New spectrum-efficient services on Channels 60-69 will be blocked from access to large geographic areas due to co-channel interference protection for television receivers. As previously explained, the potential for interference to Public Safety systems from television is far greater due

to the higher power ratio of television transmitter power to Public Safety receiver sensitivity and to adjacent channel emissions.

In paragraph 18 of the Notice, the Commission notes that it “found that there is insufficient spectrum to preserve all existing LPTV and TV translator station ...” In the same manner that National and Regional Plans encourage the Public Safety community to combine operations into shared trunking systems and so achieve spectrum efficiency, the Commission should encourage broadcasters to consider multicast sharing by multiple providers in metropolitan areas. Current LPTV or new DTV stations (for example; the home shopping network on channel 14 in Washington, DC) could lease a SDTV channel from another broadcaster, below Channel 60, instead of constructing a Channel 60-69 facility. Sinclair Broadcast Group (29 stations nationwide, Channels 45 & 54 in Baltimore) announced in the August 17, 1997 *Baltimore Sunday Sun* that they would **not** be going to HDTV. They intend to transition to SDTV and lease out the extra channels and/or offer alternate one-way subscription digital services for multiple revenue streams. They estimate cost for full HDTV at \$10 million per station, but only \$1 million per station to convert to digital multicast (SDTV).

NPSTC agrees with the Commission’s observation, in paragraph 18 of the Notice, that low power TV and translator operation is of lesser concern. For the most part, such operations are heaviest in rural areas where Public Safety requirements are lower. However, it must be clearly understood that these types of operations are secondary to all primary services, of which Public Safety is the most critical. These types of operations should be on channels other than those used by Public Safety. Even though at the onset there may be certain geographical areas where there appear to be no problems, the proposed use by Public Safety envisions nationwide dedicated

channels for interoperability and mutual aid⁸. Other uses, such as wideband data presently under development for Public Safety as addressed in national plans⁹, add to the requirement for nationwide clear channels.

As the Commission states in paragraph 19 of the Notice, their “primary objective is to maximize the availability of this spectrum for ... Public Safety ...” NPSTC applauds this goal and urges the Commission to remain focused on this objective in all ensuing actions.

B. Displaced LPTV and TV Translator Stations

Paragraph 20 of the Notice inquires about whether special accommodations should be afforded displaced LPTV and TV translator stations. The Commission should allow and encourage LPTV and TV translator stations to make any arrangements that will allow them to rapidly vacate channels 60-69, including negotiations with DTV stations for carriage as auxiliary program services, negotiation with cable companies to permit direct cable front-end program feeds, and over-the-air broadcasting below Channel 60.

Commercial land mobile entities may make arrangements with existing and planned broadcast stations to move to alternate channels as a means of rapidly clearing the additional 36 MHz proposed to be reallocated to commercial land mobile radio. However, believing that Public Safety can make similar arrangements with existing or planned stations to move to alternate channels is unrealistic. NPSTC acknowledges that such arrangements may be the only way to rapidly “clear” the spectrum for Public Safety use, but the limited funds available to Public Safety certainly should

8 Interoperability being defined as the ability of another agency to operate with permission of a licensee in the licensee’s communication system as a result of the commonality of channels and technical standards.

Mutual aid being defined as uniformly designated channels upon which traffic loads, beyond the capacity of normal operating systems, can be used in times of major incident or catastrophe, or for routine interagency communications, where commonality of channels and technical standards between different agencies’ systems does not exist.

9 The PSWAC final report, NCIC-2000, and the Public Safety Wireless Network (PSWN) initiative of the federal government, etc.

not be expended to compensate “for profit” organizations. Perhaps a more acceptable proposal would be to allocate some of the money received from the auctions of the 36 MHz of commercial spectrum for the purpose of compensating existing or planned stations who move to alternate channels to clear the 24 MHz of Public Safety spectrum and their adjacent channels. This would not dilute the already scarce funds available for the protection of life and property. It would allow that those who can afford to are appropriately paying for their use of this finite resource.

C. Existing TV Construction Permits, Test Authority and Applications for Permits

In paragraph 21 of the Notice, the Commission seeks comment on existing TV construction permits in the Channel 60-69 band. Considering the cost of constructing a broadcast TV transmitter system on these frequencies and the relatively short time over which this cost can be amortized before these channels must be vacated, it would seem prudent to proceed directly to construction on the channel which has been allocated to the permittee for DTV, provided this is below 746 MHz. Thus, NPSTC believes the Commission should cancel the construction permits for all analog TV channels above 746 MHz. The Commission should, in these special circumstances, allow permittees and pending applicants an appropriate extension of time with in which to modify their applications and construct on DTV channels below 746 MHz.

With regard to existing stations licensed or operating under construction permit program test authority in Channels 60-69, the Commission should do everything possible to facilitate as rapid a transition to channels below 746 MHz as possible. The cut-off date of 2006 should be viewed as a worst case limit. All appropriate steps should be taken to ensure that transition out of Channels 60-69 takes place as soon as possible. While Congress, in 47 U.S.C. 309(j)(14)(B), has allowed certain exceptions to the absolute December 31, 2006 date to vacate Channels 60-69, the Commission should take all appropriate steps to ensure that the conditions, which would permit such

exceptions, do not occur. These steps could include requiring annual reports from broadcasters and their networks to demonstrate their active and effective progress toward DTV conversion, encouraging manufacturers to accelerate DTV receiver production and sales, and imposing requirements on cable systems to make DTV conversion a basic offering to subscribers.

In reference to paragraph 22 of the Notice, NPSTC strongly urges the Commission to reject any new applications for construction permit or modification, or any petition for allotment or otherwise, that would allow TV transmitter operation in Channels 60-69. As discussed above, it would be imprudent to proceed with new broadcast applications in the 746 - 806 MHz frequency band, regardless of whether the station is proposed to be located in a metropolitan or a rural area. Allowing such operations would be contrary to the Commission's stated goals and would delay clearing this band for Public Safety and other potential uses.

D. Pending TV Applications

NPSTC recommends that any pending applications for television use of Channels 60-69 should either be offered the opportunity to apply for operation below Channel 60, or be dismissed. If such pending applications have not been granted, this is an excellent opportunity to "maximize the availability of this spectrum for ... public ... safety."

IV. INTERNATIONAL COORDINATION

With regard to paragraph 23 of the Notice, international coordination will always be an issue, just as it continues to be in other portions of the spectrum. However, there is strong reason to believe that satisfactory arrangements can be made for Public Safety use of this new spectrum through suitable agreements with neighboring countries, similar to those identified in 47 CFR 90.619. Such arrangements should allow for the aggregation of channels in order to permit various techniques for spectrum efficient digital transmission to be employed, such as high capacity data systems or 4 slot TDMA.

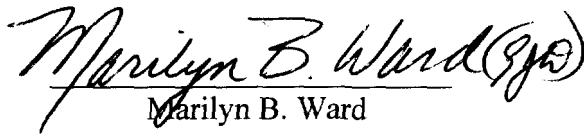
V. EXCLUSIVE USE

Careful consideration must be given to permitting any use of the proposed Public Safety spectrum for operations other than Public Safety as defined in the PSWAC Final Report. Non-conforming uses should be avoided and exclusivity afforded to Public Safety for the protection of life and property. Similarly, any use of adjacent spectrum that can have an adverse impact on Public Safety should be avoided. Compatible land mobile operations are recommended. Past experience with allowing use of Public Safety spectrum and adjacent channels by others for fixed operational, paging, or similar uses, has all too often resulted in destructive interference to vital Public Safety operations. NPSTC strongly suggests that every reasonable effort be made to give clear, non-shared use by Public Safety for the entire 764 - 776 and 794 - 806 MHz blocks of spectrum. Any and all footnotes relating to use by other services, as referenced in paragraph 24 of the Notice, must be eliminated.

VI. CONCLUSION

NPSTC commends the Commission for this proposed action and urges it to immediately implement the proposal to reallocate channels 63 - 64, and 68 - 69 to the exclusive use of Public Safety. NPSTC recommends that the Commission take all steps necessary to facilitate the full use of this spectrum by Public Safety as discussed herein, as soon as possible.

Respectfully submitted,

A handwritten signature in black ink that reads "Marilyn B. Ward (gfw)". The signature is written in a cursive style with a horizontal line underneath the name.

Marilyn B. Ward
Interim Chairperson

National Public Safety Telecommunications Council

September 15, 1997